

8/21

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - AUGUST 26, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦Resume: _____ Stop: _____ ♦Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. CHAPTER 13 CONFIRMATIONS

Delafield ROY & LORI HUFFMAN-ch13 7-02-02519 Connelly/VS
Plan filed 6/14 d/e # 6
Trustee Report, OBJECTION and showcause: dismissal or conversion filed 7/25 d/e#19
–Mod. Plan filed 8/5; Cont’d to 9/23 @ 9:30 a.m. by Order dated 8/6– [d/e # 23, 24]

P Brown KRISTY GUSLER 7-02-02576 Connelly/JJ
Plan filed 6/18; d/e # 6, 12
Trustee Report, OBJECTION and showcause: dismiss/convert, filed 7/24; d/e # 14 , 16

M.Taylor
(Gibson) ARCHIE HINNANT-ch13 7-02-02515 Connelly/SL
Plan filed 6/14, d/e # 6
Trustee Report, OBJECTION and showcause: dismiss/convert, filed 7/24; d/e # 15; filed
8/2, d/e # 16
–Mod. Plan filed 8/13 scheduled for 10/7 @ 9:30 a.m.[d/e # 18, 19]

Krippendorf BOBBY HARPER-ch13 7-02-01875 Connelly/SL
–NOTE: mod plan & mot of trustee contd to 9/9 @ 10:30 to hear w/other matters

9:30 A. M. CHAPTER 13 CONFIRMATIONS

Bowman KIM PERKINS –*recusal from RWK* 7-01-04818 Connelly/AF
Mod Plan filed 6/28 d/e # 72, 73

Objections to previous plan contd fr 7/8 : City of Roanoke (Collins) [d/e # 69]
& Elizabeth Perkins (Foster) filed 6/28; d/e # 71 and 1st Union Natl Bk
(Mason) filed 4/8; d/e # 49 ; contd fr 5/13 & 7/8

Contd hearing on Trustee's Report & Showcause filed 2/7 [#31, 35, 42] fr 2/13, 3/13,
5/13 & 7/8

Motion #2: Relief - filed 3/18; d/e # 36 - contd fr 5/13
First Union National Bank (Mason) v. debtor & trustee
Response filed 3/18; d/e # 38 ; Summary in opposition to M2 & M3, d/e # 50 filed 4/8

Motion #3: Relief - filed 4/3, d/e # 46; contd fr 5/13
First Union National Bank (Mason) v. debtor & trustee
Debtor Summary in opposition to M2 & M3, d/e # 50 filed 4/8

Motion for order granting leave to file proof of claim filed by Elizabeth Perkins (Grant)
[d/e # 78]

Krippendorf MICHAEL & ROXANE HILL-chl3 7-02-01744 Connelly/SO
Mod Plan filed 7/5, d/e # 23
Trustee showcause on dismissal filed 5/28; d/e # 18 contd fr 7/8

P Brown GWENDOLYN CANNADAY-chl3 7-02-00635 Connelly/SL
Mod Plan filed 5/20, d/e # 25, 26 ; c/s filed 5/23, d/e # 27
–*contd fr 7/8 to deal with priority tax claims*

Roanoke Calenda r- 8/26/02 -

9:30 A. M. CHAPTER 13 CONFIRMATIONS

P Brown	SHIRLEY CARTER- Plan filed 4/19, d/e # 6 contd fr 7/8 (<i>beyond bar date</i>) Trustee Report, OBJECTION and showcause on dismissal or conversion filed 5/28; d/e # 13 contd fr 7/8	7-02-01697	Connelly/NS
P Brown	ELLEN CAMPBELL Plan filed 6/18; d/e # 6 Trustee Report, OBJECTION and showcause: Dismiss/convert filed 7/25; d/e # 16	7-02-02577	Connelly/NS
Krippendorf	HELEN BEAVERS Mod Plan filed 7/1; d/e # 37 , 39	7-02-00660	Connelly/JJ
Delafield	MARK SCALES Plan filed 6/6, d/e # 6 Trustee Report, OBJECTION and showcause: dismiss/convert; filed 7/25; d/e#22 Valuation Mot: Wachovia Bank NA , 1997 Honda Passport, d/e # 13, filed 6/21 –Default ORD of 7/24 cancels hearing, d/e # 19 Valuation Motion: Schewel Furn. TV; (Owed \$1600; valued \$700), filed 6/21, d/e#14 –Default ORD of 7/24 cancels hearing, d/e # 20 Valuation Mot: Heilig Meyers furn \$1500 owed value \$750; filed 6/21, dE # 15 –Default ORD of 7/24 cancels hearing, d/e # 21	7-02-02402	Connelly/SJ

9:30 A. M. CHAPTER 13 CONFIRMATIONS

Delafield RAYMOND & SHUNTRA MUSE - Ch. 13 7-02-00509 Connelly/LM
Mod Plan filed 6/21, d/e # 37
–SEE ALSO RELIEF MOTION AT 11:00

Krippendorf DEBRA CAMPBELL - Ch. 13 7-02-01855 Connelly/SL
–CASE CONVERTED TO CH 7 ON 8/21/02; CANCELS HEARINGS

Trustee's Report w/Show Cause on Dismissal or Conversion [d/e # 19] contd fr 7/8
Trustee Report, OBJECTION and showcase: dismiss/convert; filed 7/25; d/e#16
Objection: Michael D. Hart, PC filed 6/25 d/e # 23 contd fr 7/8

Valuation Mot: First Citizens Bank ; 1995 Chev S10 Truck, filed 7/9 d/e # 28

see also Modified Plan Conf's set at 11:00 in Bower Case #00-02008 & Winebarger Case #01-1447

11:00 A. M. - CHAPTER 13 CONFIRMATIONS

Krippend. JERRY & JOYCE BOWER-ch13 7-00-02008 Connelly/AF
note: further modification of Plan filed 8/14 scheduled for conf on 10/7 @ 9:30
Mod Plan filed 7/16, d/e # 55, 56
Trustee Motion to dismiss or Convert filed 5/29; d/e # 46 --Cont fr 6/24 for cure of post-
pet arrears in mod plan to be filed by 7/14
RESPONSE filed by Debtors 6/10 to trustee mot [d/e #47]

Mod plan filed 8/14 , set for 10/7 @ 9:30

M Hart SAMUEL & LINDA WINEBARGER 7-01-01447 Connelly/NS
Mod Plan filed 6/6, d/e # 33, 34
Motion of Trustee to Convert or Dismiss; filed 5/16; d/e # 32 contd fr 6/10
– contd fr 7/29 to hear w/relief motion

Motion # 3: Relief filed 7/5 [d/e # 39] (*Amended Motion* filed 7/22) [d/e # 45]
Wells Fargo Bank Minnesota, NA (Clarke) v. Debtors

11:00 A. M. - MISCELLANEOUS HEARINGS

Krippend	STEVE & SALLY HARRIS-chl3	7-97-03240	Connelly/LM
	Motion of Trustee to Dismiss or convert filed 5/29; d/e # 44		
	RESPONSE filed by Debtors [d/e # 45] ; <i>contd fr</i> 6/24		

Creasy JOHN & DREAMA CANTY- 7-99-01985 Connelly/SL
Trustee Motion to Dismiss or Convert filed 5/29; d/e # 81 *cont fr* 6/24

M Hart DWIGHT CARTER-chl3 7-99-02244 Connelly/SO
Trustee Motion to Dismiss or convert filed 5/29; d/e # 43 *contd fr 6/24*

Motion #1: Relief - filed 5/24, d/e # 39; *contd fr 6/24*
First Va. Bank SW (Chappell) v. debtor & trustee
-Respondent certif. D/e # 44 and Answer of Defendant d/e # 45 filed 5/31

Motion #2: Relief from Co-Debtor Stay: filed 5/24, d/e # 40 & 42 *contd fr* 6/24
First Va. Bank SW (Chappell) v. Dwight W. Carter Sr and Barbara J. Carter()

Delafield ALLAN SIMS 7-02-01239 Connelly/MC-PR
Obj of Debtor to Claim #11: Best Buy Co Inc filed 7/18; d/e # 37

Obj of Debtor to Claim #15: Household Bank, filed 7/18; d/e # 38

Obj of Debtor to Claim #16: Household Bank; filed 7/18; d/e # 39

Obj of Debtor to Claim #17: ShermanAcquisition filed 7/18; d/e # 40

11:00 A. M. - MISCELLANEOUS HEARINGS

M Hart	LEE & LISA MEADOR-ch13	7-01-02302	Connelly/SJ
	Obj of Trustee to Claim #12: HFC II, in amt of \$4055.34 filed 5/20; d/e # 26 (claim not timely); <i>contd fr 6/24 for new notice to be served</i> –Order withdrawing claim 8/6–hearing cancelled– [d/e #31]		
H. Brown	DANIEL & MARGARET ANDREWS - Ch. 13	7-00-04221	Connelly/VS
	Motion #3: Relief–filed 7/12 [d/e # 91] Fairbanks Capital Corporation (Goldberg) v. Debtors & Trustee ANSWER filed by Debtors 7/23 [d/e # 95]		
Mayer	FREDDIE & PEGGY DUDLEY-ch13	7-01-0435	Connelly/SL
	Motion #1: relief - filed 7/10; d/e # 20, 24 (<i>recusal</i>) Wachovia Bank NA (Mason) v. debtors & trustee		
P Brown	JEFFREY WORRELL-ch13	7-01-04267	Connelly/NS
	Motion of Debtor to approve sale of collateral free and clear of liens filed 7/15, d/e#25		
Krippendorf	BRIDGET JOHNSON - Ch. 13	7-00-01839	Connelly/MC
	Debtor's Motion to Suspend Payments from 7/1 - 9/31/02 [d/e # 75]		

11:00 A. M. - MISCELLANEOUS HEARINGS

Giles	PHILLIP DARBY-chl3	7-02-00634	Connelly/PR-MC
	Motion #1: Avoid lien: filed 7/24, d/e # 29, 30		
	Debtor v. Beneficial		

Delafield ARNOLD & DOREEN STOKES-chl3 7-02-0-2301 Connelly/VS
Obj to Claim #4: Commonwealth Computer Services, filed by debtors 7/29 , d/e # 19

Delafield	NORA FRALIN-chl3	7-00-02101	Connelly/VS
	Motion #2: Sell property free/clear of liens, filed 6/21, d/e # 65		
	Debtor v. Suntrust Mortgage Inc () and Beneficial Credit() and		
	Charles E. Terek, Deed of Trust Trustee for Beneficial ()		
	<i>–contd from 7/29</i>		
	–ORDER dismissing motion entered 8/23, cancels hearing		

Krippend	STEPHEN & DAWN KEATON-chl3	7-02-00056	Connelly/JJ
	Motion to suspend payments to trustee 3 months (July to Sept, 2002)		

Note: mod plan filed 7/31 set for 9/23 @ 9:30

Kennett	KAMEELAH BULLARD - Ch. 13	7-02-00543	Connelly/PR
	Motion # 2: Relief [d/e # 40]		
	Bank of American, N.A. (Zimm) v. Debtor & Trustee		
	RESPONSE filed by Debtor [d/e # 44]		
	<i>Motion for Continuance filed 8/9 by Debtor's counsel</i>		

11:00 A. M. - MISCELLANEOUS HEARINGS

Delafield	RAYMOND & SHUNTRA MUSE - Ch. 13	7-02-00509	Connelly/LM
	Motion # 1: Relief [d/e # 41] Fairbanks Capital Corp. (Clarke) v. Debtor & Trustee <u>Answer filed 8/9, d/e # 43</u>		
	<i>-SEE ALSO CONF. AT 9:30</i>		
M.Hart	RITCHIE & TERESA MEDLEY - Ch. 13	7-96-04075	Connelly/SL
	Motion for Compensation & Reimbursement of Expenses filed by Debtors' counsel		
M. Giles	SAMUEL & WANDA JENNINGS - Ch. 13	7-01-03469	Connelly/JJ
	Motion # 1: Relief filed 8/2 [d/e # 38] EQCC Home Equity 2001-02 (Goldberg) v. Debtors RESPONSE filed by Debtors 8/13 [d/e # 42] <i>-proposed order in motion file</i>		
P. Brown	SAMUEL & PATRICIA JENNINGS - CH. 13	7-01-01693	Connelly/MC
	Motion # 1: Relief filed 8/7 [d/e # 28, 29] First Boston (Clark) v. Debtors & Trustee [d/e # 28] ANSWER filed by Debtors [d/e # 30]		

2:00 P.M. - PRETRIAL CONFERENCES

Krippend. FLOYD GRIFFITH-ch7 7-02-01494 Vogel/S
A/P 7-02-00094: Det. Dischargeability
Transamerica Retail Financial Services (Huebschman) v. debtor

Mayer RICHARD SAUCEDA-ch13 7-02-00189 Connelly/S
A/P 7-02-00089: Void Judgment
Debtor v. Armstrong Transfer & Storage Co t/a Armstrong Relocation

A/P 7-02-00088: Sell free and clear of liens
Debtor v. Joan K, Petrus(); Citifinancial Inc ();
Armstrong Transfer & Storage Co aka Armstrong Relocation(); and
Trustee, Rebecca B. Connelly ()

2:00 P.M. - MISCELLANEOUS HEARINGS

P Brown RONALD & SHARON BELL-ch7 7-02-01954 Creasy/SL
Motion of Trustee for extension of time to file objection to exemptions or
complaints re: Discharge/dischargeability, filed 7/10; d/e #11, 12
–ORDER of 8/13 withdrew trustee’s motion, cancels hearing

Bowman JAMES EZELL-ch7 7-02-02222 Creasy/SJ
Motion of Trustee for extension of time to file objection to exemptions or
complaints re: Discharge/dischargeability, filed 7/10; d/e #12, 13

H Brown SARAH KIKER-ch7 7-02-02086 Krippend/JJ
Motion of Trustee to dismiss case; failure to cooperate filed 7/29; d/e # 13

2:00 P.M. - MISCELLANEOUS HEARINGS

Creasy	FREDDIE & JOANN RING-ch13	7-00-02898	Connelly/AF
	Motion to Incur Debt; Shorten Notice filed 7/26; d/e # 36		
Krippend.	RONNIE & EUNICE TERRY-ch7	7-02001959	Creasy/SL
	Motion of Trustee for extension of time to file objection to exemptions or complaints re: Discharge/dischargeability, filed 7/10; d/e #19, 20		
	–Order of 8/5 Withdrawing Trustee’s Motion, cancelling hearing– [de # 24]		
Delafield	LUCILLE HOLLAND-ch7	7-01-05369	Creasy/JJ
	Motion of Trustee for Order requiring debtor and/or Dinah Fultz to pay remaining unpaid purchase money in sum of \$9,200 to Trustee for benefit of estate, filed 7/9, d/e 30		
	–Amended motion filed 7/10; d/e # 31		
M HART	JOHN & AZAM BILLETT-ch7	7-02-02046	Creasy/JJ
	Motion of Trustee for extension of time to file objection to exemptions or complaints re: Discharge/dischargeability, filed 7/10; d/e # 12, 13		
	–ORDER of 7/24 dismissed trustee’s motion, cancels hearing		
Larrick	ANTHONY & ULISA BARNES-H’burg case	5-02-00637 RWK-7	J.Leake, Tr.
	Motion #2: Relief		
	Wachovia Bank NA (Wm. Mason) v. Debtor s		

2:00 P.M. - MISCELLANEOUS HEARINGS

M Taylor
(Gibson)

NORVEL & CHARLOTTE THORNHILL-ch7 7-02-02776 Allen/JJ
Motion #1: Relief - filed 7/25, d/e # 10, 11 - *filed w/proposed order*
Deutsche Bank National Trust Co fka Bankers Trust Co of CA NA as custodian or
Trustee c/o Chase Manhattan Mortgage Corp (Clarke) v. Debtors & trustee

Shelor

DAVID & KASIE MCCLAMMA-ch7 7-02-02673 Krippend/PR-MC
Motion #1: Relief - filed 7/26; d/e # 11, 12, 13
First Union Natl Bank of Delaware (Christine Patterson) v. debtors & trustee

-DEFAULT Order entered 8/23./

Gardner

STEVEN & ROBIN CHURCH-ch7 7-02-02218 Allen/AF
Motion #1: relief - filed 6/26; d/e # 11, 12, 13; **contd fr 7/29**
Truman Capital Advisors (Darren Goldberg) v. debtors & trustee

M Black

CRAIG S. CROPP-ch7 7-01-00985*` Callahan/SL OC
Motion of USA/IRS (Eckert) for order compelling debtor to file tax return - 9/23
filed 2/19 d/e # 47; *Abg case scheduled in Rke by agreement of court & counsel;
--contd fr 4/15 & 5/13 ; *contd fr 7/29 w/returns due by 9/19*
-CASE CONTD TO 9/23 BY AGR. OF PARTIES

P Brown

KENAN LATIMER & ANGELIA LATIMER 7-02-00549 Krippend/S
Motion #1: Relief - filed 7/29; d/e # 20, 21, 22
Household Realty Corp of Va. (Zimm) v. Evelyn K. Krippendorf, Trustee
(*only named respondent*)

2:00 P.M. - MISCELLANEOUS HEARINGS

M.Giles JOHN & STEPHANIE VIA - Ch. 7 7-02-02456 Creasy/JJ
Motion # 1: Relief filed 8/1 [d/e # 11]
ABN AMRO Mortgage Group, Inc. (C.Patterson) v. Debtors & Trustee

P. Brown KENNETH & CATHERINE BANKS - Ch. 7 7-02-02546 Allen/JJ
Motion # 1: Relief filed 8/2 [d/e # 13]
Principal Residential Mortgage, Inc. (Zimm) v. Debtors & Trustee
ANSWER filed by Debtors 8/6 [d/e # 16]

Westerman RBX CORPORATION - Ch. 11 7-01-00436 DIP/JJ
Ackley Objection to Claims: ; *contd from 7/29*
#1216: Dale Dorsey; (Laatsch/C.Allen); **d/e #1424**
#1217: Dale Dorsey (M.Laatsch/C.Allen) **d/e # 1425**
RESPONSE filed by Dale & Barbara Dorsey (Laatsch/C.Allen) [d/e # 1449]

-SCHEDULED for hearing on 9/23 @ 2:00 p.m.

Marino DHS OF VIRGINIA, LP - Ch. 11 7-02-02717 DIP/NS
Motion to Employ Professional Person, Roy V. Creasy, Esq., as
Attorney for Trustee [d/e # 26]
OBJECTION filed by U. S. Trustee (Garber) [d/e # 30]

Motion to Employ Woods, Rogers & Hazlegrove as Atty. For Trustee [d/e # 27]
OBJECTION by U. S. Trustee (Garber) [d/e # 31]

Roanoke Calendar 8/26/02

2:30 P.M. - MISCELLANEOUS

Goldstein A & E INTERNATIONAL, INC. - Ch. 11 7-02-02760 DIP/JJ
Debtor's Motion for an administrative order establishing notice procedures [d/e # 31]

Debtor's application for an order approving the retention & employment of Robert Barnes Consulting, Inc., d/b/a Century Small Business Solutions, as accountant for debtor and approving applications for compensation and expenses every 60 days [d/e ## 30, 31 & 32]

OBJECTION: U. S. Trustee (Garber) filed 8/15, d/e # 34

2:30 P.M. - TRIAL

M Hart DIRK B PADGETT-ch7 7-02-00621 McLean/JJ
§707(b) Motion of U. S. Trustee to Dismiss Case (Substantial Abuse)
Filed 7/11, d/e # 12 (Garber)
ANSWER filed by Debtor 8/5 [d/e # 29]
—notice initially docketed 7/11 in case #02-1356 and the within case was discharged and closed on 7/15 ; case re-opened and discharge rescinded due to administrative error... trial date to be fixed on 707(b) motion at later date

**Debtor's Motion for Extension of Time to Comply with Request for Production of Documents [d/e # 27]

**Debtor's Motion for Summary Judgment and/or Motion to Dismiss U. S. Trustee's Motion to Dismiss [d/e # 28]

*—**reserved couple hours for hearing --*

****NOTE:** pursuant to 8/15 telephone conference, motion for continuance of trial granted (to be fixed at later date) and hearing on 8/26 to be conducted on Motion for Summary Judgment and Discovery issues